

**TRANSMITTAL
FORM**

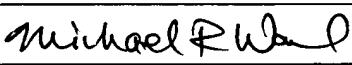
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/526,663
	Filing Date	September 3, 2003
	First Named Inventor	Shibo ZHANG
	Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	9 + 63 Refs.	Attorney Docket Number 416272004600

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental, 3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. PTO/SB/08a/b (5 pages) 2. 63 Cited References 3. Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature			
Printed name	Michael R. Ward		
Date	May 12, 2005	Reg. No.	38,651

I hereby certify that this correspondence is being deposited with the U.S. Postal Service via Express Mail, Airbill No. EV731514194US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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(Laura Tsang)

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Dated: May 12, 2005 Signature:

(Laura Tsang)

Patent
Docket No. 416272004600
B97-084-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Shibo ZHANG et al.

Serial No.: 10/526,663

Filing Date: September 3, 2003

For: METHODS AND COMPOSITIONS FOR
TRANSFORMATION AND
REGENERATION OF MAIZE

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.

- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- ☐ A fee is required. A check in the amount of ___ is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 416272004600.

Dated: May 12, 2005

Respectfully submitted,

By Michael R. Ward
Michael R. Ward
Registration No.: 38,651
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
(415) 268-6237

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				First Named Inventor	Shibo ZHANG
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	5	Attorney Docket Number	416272004600

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	US-4,699,644	10-13-1987	Brandt et al.	
	2.	US-5,164,310	11-17-1992	Smith et al.	
	3.	US-5,281,529	01-25-1994	Zhong et al.	
	4.	US-5,320,961	06-14-1994	Zhong et al.	
	5.	US-5,350,688	09-27-1994	Matsuno et al.	
	6.	US-5,403,736	04-04-1995	Tanimoto	
	7.	US-5,405,765	04-11-1995	Vasil et al.	
	8.	US-5,480,789	01-02-1996	Firoozabady et al.	
	9.	US-5,565,355	10-15-1996	Smith	
	10.	US-5,589,617	12-31-1996	Nehra et al.	
	11.	US-5,610,042	03-11-1997	Chang et al.	
	12.	US-5,639,949	06-17-1997	Ligon et al.	
	13.	US-5,641,664	06-24-1997	D'Halluin et al.	
	14.	US-5,736,369	04-07-1998	Bowen et al.	
	15.	US-5,948,956	09-07-1999	Lee et al.	
	16.	US-6,140,555	10-31-2000	Reichert et al.	
	17.	US-6,486,384	11-26-2002	Zhang et al.	
	18.	US-6,541,257-A1	04-01-2003	Lemaux et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	19.	EP-0558676	09-08-1993			
	20.	JP-01027466	01-30-1989			
	21.	JP-07213183	08-15-1995			
	22.	JP-07255304	10-09-1995			
	23.	WO-92/20809	11-26-1992			
	24.	WO-94/13822	06-23-1994			
	25.	WO-96/04392	02-15-1996			
	26.	WO-97/17429	05-15-1997			

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Sheet	2	of	5	Attorney Docket Number	416272004600

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	27.	ALI, Gayoor et al. (1999) "Morphogenic and Biochemical Responses of Bacopa Monniera Cultrues to Zinc Toxicity," Plant Science, 143: 187-193	
	28.	BAILLIE et al., 1992, "Field evaluation of barley (Hordeum vulgare L.) genotypes derived from tissue culture," Can. J. Plant Sci., 72:725-733.	
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	33.	BREGITZER, 1992, "Plant Regeneration and Callus Type in Barley: Effects of Genotype and Culture Medium," Crop Sci., 32:1108-1112.	
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Sheet	3	of	5	Attorney Docket Number	416272004600

		Directs Tissue-Specific Expression and Binds ASF-1, a Factor from Tobacco Nuclear Extracts," Plant Cell, 1:977-984.	
	42.	FUNATSUKI et al., (1995) "Fertile transgenic barley generated by direct DNA transfer to protoplasts," Theor. Appl. Genet., 91:707-712.	
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	44.	GLESS et al. (1998), "Transgenic Oat Plants Obtained at High Efficiency by Microprojectile Bombardment of Leaf Base Segments," J. Plant Physiol., 152:151-157.	
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	52.	HOSSAIN, B. et al. (1997) "Internal Zinc Accumulation is Correlated with Increased Growth in Rice Suspension Culture," J Plant Growth Regul, 16: 239-243	
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		Suspensions Derived from Anther Cultures of Barley (<i>Hordeum Vulgare</i> L.)," <i>Theor Appl Genet</i> , 82: 74-80	
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66.	POTRYKUS (1991), "Gene Transfer to Plants: Assessment of Published Approaches and Results," <i>Annu. Rev. Plant Physiol. Plant Mol. Biol.</i> , 42:205-225.		
67.	PURNHAUSER (1991) "Stimulation of Shoot and Root Regeneration in Wheat <i>Triticum Aestivum</i> Callus Cultures by Copper," <i>Cereal Research Communications</i> , 19: 419-424.		
68.	SALMENKALLIO-MARTTILA et al., (1995) "Transgenic barley (<i>Hordeum vulgare</i> L) by electroporation of protoplasts," <i>Plant Cell Rep.</i> , 15:301-304.		

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69.	SOMERS et al. (1992), "Fertile, Transgenic Oat Plants," Biotechnology, 10:1589-1594.
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75.	WAN, Yuechun et al. (1994) "Generation of Large Numbers of Independently Transformed Fertile Barley Plants," Plant Physiology, 104: 37-48
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77.	ZHANG et al., (1996) "Production of Multiple Shoots Apical Meristems of Oat (Avena sativa L.)," J. Plant Physiol, 148:667-671.
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*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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